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operable for subtracting the results obtained for each phase state and for comparing a difference value to a threshold value; said control means being responsive to a first condition wherein the difference value exceeds the threshold value for terminating the operation of said despreader and thereafter storing the corresponding phase state; said control means being further responsive to a second condition wherein the difference value does not exceed the threshold value, after operating said despreader over the range of phase states, for storing the phase state corresponding to a largest difference value; and where the stored phase state is used by said control means for adjusting the phase of the spreading code associated with the second forward channel based on the first and second measures of received signal energy.--

REMARKS

Claim 1 has been cancelled, thereby rendering moot the rejection under 35 U.S.C. §101.

Appended to this response is a terminal disclaimer, the entry of which should overcome the rejection of claims 16-19 under the judicially created doctrine of obviousness-type double patenting. Claims 16-19 should thus be in condition for allowance.

Claims 20-23 have been newly added. These claims are drawn to a synchronous CDMA communications system and have a scope commensurate with the scope of claims 16-19. A favorable consideration that also results in the allowance of newly added claims 20-23 is earnestly solicited, as is the receipt of a notice of allowability and a notice of allowance for this application.

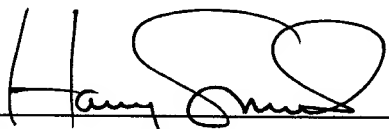
All of the claims of this patent application are deemed to be in condition for allowance, and this patent application

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is further believed to be ready to be passed to issue. However, should there be any remaining issue that would impede the allowance of all of the pending claims, the Examiner is respectfully invited to contact the undersigned at any of the numbers appearing below.

Respectfully submitted,

  
\_\_\_\_\_  
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Oct. 13, 1998  
\_\_\_\_\_  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

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Clairne F. Brian  
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